1	Beth Wilkinson (pro hac vice)			
2	Rakesh N. Kilaru ( <i>pro hac vice</i> )  Kieran Gostin ( <i>pro hac vice</i> )			
3	Grace Hill ( <i>pro hac vice</i> ) Anastasia M. Pastan ( <i>pro hac vice</i> )			
4	Sarah E. Neuman (pro hac vice)			
5	WILKINSON STEKLOFF LLP 2001 M Street, N.W., 10th Floor			
6	Washington, D.C. 20036 Telephone: (202) 847-4000			
7	Facsimile: (202) 847-4005			
8	bwilkinson@wilkinsonstekloff.com rkilaru@wilkinsonstekloff.com			
9	kgostin@wilkinsonstekloff.com ghill@wilkinsonstekloff.com			
10	apastan@wilkinsonstekloff.com sneuman@wilkinsonstekloff.com			
11				
12	Bambo Obaro (Bar No. 267683) WEIL, GOTSHAL & MANGES LLP			
13	201 Redwood Shores Parkway Redwood Shores, CA 94065			
14	Telephone: (650) 802-3083 Facsimile: (650) 802-3100			
15	bambo.obaro@weil.com			
16	Counsel for Microsoft Corporation			
17	[Additional Counsel Identified on Signature Page]			
	UNITED STATES	DISTRICT COURT		
18	FOR THE NORTHERN DI	STRICT OF CALIFORNIA		
19	SAN FRANCIS	SCO DIVISION		
20	FEDERAL TRADE COMMISSION,	Case No. 3:22-cv-02880-JSC		
21	Plaintiff,	[PROPOSED] ORDER GRANTING		
22	v.	DEFENDANTS' CORRECTED ADMINISTRATIVE MOTION TO SEAL		
23	OPPOSITION TO PLAINTIFF'S MO			
24	ACTIVISION BLIZZARD, INC.,	L.R. 79-5)		
25	Defendants.	Date: TBA		
26		Time: TBA Dept.: Courtroom 8—19th Floor		
27		Judge: Honorable Jacqueline S. Corley		
28				

CASE No. 3:22-cv-02880-JSC

With respect to the information that Defendants Microsoft Corporation and Activision Blizzard (collectively, "Defendants"), Defendants filed an Administrative Motion to File Under Seal Their Opposition to Plaintiff's Motion for Preliminary Injunction ("Administrative Motion"). Defendants, in accordance with Civil Local Rule 79-5(c)(3), identified "in table format each document or portion thereof that is sought to be sealed," namely:

Document	Portions to Be Filed Under Seal	<b>Designating Party</b>	Basis for Sealing Request <sup>1</sup>
Opposition	Page 1, portions of lines 7-8	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, market share analyses, and revenue figures and projections, which could be used to injure Microsoft if made publicly available.
Opposition	Page 1, portion of line 28; Page 2, line 1	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential potential business partnerships, confidential internal decision-making processes, investment decisions, and strategic evaluation of forward-looking opportunities, which could be used to injure Microsoft if made publicly available.

<sup>&</sup>lt;sup>1</sup> Legitimate private interests warrant the sealing of the Microsoft and Activision information in this chart, and the unsealing of the information would result in injury to Microsoft and Activision that cannot be avoided through any less restrictive alternative to sealing.

#### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 3 of 32

1 2 3 4 5 6 7 8 9	Opposition	Page 2, portion of lines 6-7	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential investment decisions, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, and potential business partnerships, which could be used to injure Microsoft if made publicly available.
11 12 13	Opposition	Page 3, portion of line 9	Microsoft	This portion contains non- public and highly sensitive information including, but not limited to, confidential
14				investment decisions, market share analyses, and
15				revenue figures and projections, which could
16 17				be used to injure Microsoft if made publicly available.
18	Opposition	Page 4, portion of line 25	Microsoft	This portion contains non-
19				public and highly sensitive information including, but
20				not limited to, confidential revenue figures and
21				projections, and
22   23				confidential internal presentations containing
24				business strategy, which could be used to injure
25				Microsoft if made publicly available.
26	Opposition	Page 5 neutions of lines 7	Migragaft	
27 28	Opposition	Page 5, portions of lines 7, 10	Microsoft	This portion contains non- public and highly sensitive information including, but

### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 4 of 32

1 2 3 4 5 6				not limited to, confidential internal figures and projections, and strategic evaluation of forward-looking opportunities, which could be used to injure Microsoft if made publicly available.
7	Opposition	Page 6, portions of lines 1-5	Microsoft and Activision	This portion contains non- public and highly sensitive
8 9				information including, but not limited to, confidential
10				internal decision-making processes, investment decisions, strategic
11   12				evaluation of forward- looking opportunities,
13				market share analyses, assessment of the
14				competitive landscape, and internal figures and
15 16				projections, which could
17				be used to injure Microsoft and Activision if made publicly available.
18	Opposition	Page 6, portions of lines 16-	Activision	This portion contains non-
19	Оррозион	17	Activision	public and highly sensitive
20				information including, but not limited to, confidential
21   22				internal decision-making processes, investment
23				decisions, strategic evaluation of forward-
24				looking opportunities,
25				potential business partnerships, and internal
26				presentations discussing business strategy, which
27				could be used to injure
28				Activision if made

### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 5 of 32

			publicly available.
Opposition	Page 7, portion of line 7, portion of lines 10-13, footnote 5	Microsoft	publicly available.  This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, market share analyses, internal figures and projections, and assessment of the competitive landscape, which could be used to
			which could be used to injure Microsoft if made publicly available.
Opposition	Page 7, portions of lines 17-18	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, and market share analyses, which could be used to injure Microsoft if made publicly available.
Opposition	Page 7, portions of lines 25-26; Page 8, portions of lines 1-2	Microsoft	This portion contains non- public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-

### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 6 of 32

1 2 3				looking opportunities, assessment of the competitive landscape, and potential business partnerships, which could
5				be used to injure Microsoft if made publicly available.
6 7	Opposition	Page 8, portions of lines 4-6	Microsoft	This portion contains non-public and highly sensitive
8				information including, but not limited to, confidential
9				internal decision-making
10				processes, investment decisions, strategic
11				evaluation of forward- looking opportunities,
12				assessment of the
13				competitive landscape, and potential business
14				partnerships, which could be used to injure Microsoft
15				if made publicly available.
16 17	Opposition	Page 11, portions of lines 7-	Microsoft and	This portion contains non-
18		11, portion of footnote 7	Activision	public and highly sensitive information including, but
19				not limited to, confidential internal decision-making
20				processes, investment
21				decisions, strategic evaluation of forward-
22				looking opportunities,
23				assessment of the competitive landscape,
24				business partnerships, and business strategy
25				discussions, which could
26				be used to injure Microsoft and Activision if made
27				publicly available.
28				

### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 7 of 32

1 2 3 4 5 6 7 8 9 10 11 12	Opposition	Page 12, portion of footnote 9	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, and internal figures and projections, which could be used to injure Microsoft and Activision if made publicly available.
13	Opposition	Page 13, portions of lines 3-7, footnote 10	Microsoft and	This portion contains non-
14		7, 100thote 10	Activision	public and highly sensitive information including, but
15				not limited to, confidential internal decision-making
16				processes, investment
17 18				decisions, strategic evaluation of forward-
19				looking opportunities, market share analyses,
20				assessment of the competitive landscape,
21				business strategy
22				discussions, and revenue figures and projections,
23				which could be used to injure Microsoft and
24				Activision if made
25				publicly available.
26	Opposition	Page 14, portions of lines 7-9	Microsoft	This portion contains non-public and highly sensitive
27 28				information including, but not limited to, confidential
20				not infined to, confidential

### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 8 of 32

1 2 3 4 5				internal decision-making processes, investment decisions, and strategic evaluation of forward-looking opportunities, which could be used to injure Microsoft if made publicly available.
6		D 15 01		
7	Opposition	Page 15, portions of lines 13-16	Microsoft	This portion contains non-public and highly sensitive
8				information including, but
9				not limited to, confidential internal decision-making
10				processes, investment decisions, strategic
11				evaluation of forward-
12				looking opportunities, market share analyses,
13 14				assessment of the
15				competitive landscape, and potential business
16				partnerships, which could be used to injure Microsoft
17				if made publicly available.
18	Opposition	Page 16, portion of line 4	Microsoft	This portion contains non-
19				public and highly sensitive information including, but
20				not limited to, confidential
21				internal decision-making processes, investment
22				decisions, strategic
23				evaluation of forward- looking opportunities, and
24				internal presentations
25				discussing business strategy, which could be
26				used to injure Microsoft if made publicly available.
27	Opposition	Page 16, portions of lines	Microsoft and	This document contains
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### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 9 of 32

1		21-25	Activision	non-public and highly
2				sensitive information
3				including, but not limited to, information reflecting
				internal decision-making
4				processes, strategic
5				evaluation of forward-
6				looking opportunities,
				market share analyses, assessment of the
7				competitive landscape,
8				business partnerships,
9				terms of existing
10				confidential agreements,
				revenue figures and
11				projections, and internal presentations discussing
12				business strategy, which
13				could be used to injure
				Microsoft and Activision
14				if made publicly available.
15	Opposition	Page 16, portions of line 26	Microsoft and	This document contains
16		5 71	Activision	non-public and highly
17				sensitive information
				including, but not limited
18				to, information reflecting internal decision-making
19				processes, strategic
20				evaluation of forward-
21				looking opportunities,
				market share analyses, assessment of the
22				competitive landscape,
23				business partnerships,
24				terms of existing
25				confidential agreements,
26				revenue figures and projections, and internal
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27				presentations discussing business strategy, which
				presentations discussing

### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 10 of 32

1				Microsoft and Activision
2				if made publicly available.
3	Opposition	Page 17, portions of lines 1-2	Microsoft and Activision	This document contains non-public and highly
4				sensitive information
5				including, but not limited to, information reflecting
6				internal decision-making processes, strategic
7				evaluation of forward-
8				looking opportunities,
9				market share analyses, assessment of the
10				competitive landscape,
11				business partnerships, terms of existing
12				confidential agreements,
13				revenue figures and
14				projections, and internal presentations discussing
15				business strategy, which
				could be used to injure
16				Microsoft and Activision if made publicly available.
17				
18	Opposition	Page 17, portions of lines 4-5	Microsoft and Activision	This document contains non-public and highly
19			Activision	sensitive information
20				including, but not limited
21				to, information reflecting internal decision-making
22				processes, strategic
23				evaluation of forward-
24				looking opportunities, market share analyses,
				assessment of the
25				competitive landscape, business partnerships,
26				terms of existing
27				confidential agreements,
28				revenue figures and

### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 11 of 32

1 2 3				projections, and internal presentations discussing business strategy, which could be used to injure
4				Microsoft and Activision if made publicly available.
5 6 7 8 9 10 11 12 13 14	Opposition	Page 17, portions of lines 14-17	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, and assessment of the competitive landscape, which could be used to injure Microsoft if made publicly available.
15 16 17 18 19 20 21 22	Opposition	Page 18, portions of lines 24-27	Microsoft and Activision	This document contains non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the
23				competitive landscape, business partnerships, terms of existing
24 25				confidential agreements, revenue figures and
26				projections, and internal
27				presentations discussing business strategy, which
28				could be used to injure

## Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 12 of 32

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22   22   23   24   25   26   26   27   27   28   29   29   29   20   20   20   20   20		Opposition			
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25 26 27 28 evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape	24				
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competitive landscape					market share analyses,

1				business partnerships,
2				terms of existing
				confidential agreements, revenue figures and
3				projections, and internal
4				presentations discussing
5				business strategy, which
6				could be used to injure
				Microsoft and Activision
7				if made publicly available.
8	Opposition	Page 21, portion of lines 9-	Microsoft and	This document contains
9		11	Activision	non-public and highly
10				sensitive information including, but not limited
11				to, information reflecting
				internal decision-making
12				processes, strategic evaluation of forward-
13				looking opportunities,
14				market share analyses,
15				assessment of the
				competitive landscape,
16				business partnerships,
17				terms of existing
18				confidential agreements, revenue figures and
				projections, and internal
19				presentations discussing
20				business strategy, which
21				could be used to injure
22				Microsoft and Activision if made publicly available.
23	Opposition	Page 21, portion of lines 13-14	Microsoft and Activision	This document contains
24			ACHVISION	non-public and highly sensitive information
25				including, but not limited
26				to, information reflecting
27				internal decision-making processes, strategic
28				evaluation of forward-
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### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 14 of 32

1				looking opportunities,
2				market share analyses,
				assessment of the
3				competitive landscape, business partnerships,
4				terms of existing
5				confidential agreements,
6				revenue figures and
				projections, and internal
7				presentations discussing business strategy, which
8				could be used to injure
9				Microsoft and Activision
10				if made publicly available.
	Opposition	Page 21, portions of lines	Activision	This portion contains non-
11		19-21; Page 22, portions of	1 1001 / 10101	public and highly sensitive
12		lines 1-2		information including, but
13				not limited to, confidential
14				internal decision-making processes, investment
				decisions, strategic
15				evaluation of forward-
16				looking opportunities,
17				assessment of the
18				competitive landscape, and potential business
				partnerships, which could
19				be used to injure
20				Activision if made
21				publicly available.
22	Opposition	Page 22, portions of lines	Activision	This portion contains non-
23		17-19		public and highly sensitive
				information including, but not limited to, confidential
24				internal decision-making
25				processes, investment
26				decisions, strategic
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				looking opportunities, assessment of the
28				absorbinent of the

### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 15 of 32

1 2 3 4				competitive landscape, and internal business strategy, which could be used to injure Activision if made publicly available.
5	Opposition	Page 23, lines 1-6	Microsoft	This portion contains non-public and highly sensitive
6 7				information including, but not limited to, confidential
8				internal decision-making processes, investment
9				decisions, strategic evaluation of forward-
10				looking opportunities,
11				market share analyses, and internal business strategy
12				discussions, which could be used to injure Microsoft
13 14				if made publicly available.
15	Opposition, Ex. 2 (RX3166)	Entire document	Microsoft	This document contains non-public and highly
16	(1013100)			sensitive information including, but not limited
17 18				to, confidential internal presentations discussing
19				business strategy, which could be used to injure
20				Microsoft if made publicly
21				available.
22	Opposition, Ex. 3	Entire document	Microsoft	This document contains non-public and highly
23				sensitive information including, but not limited
24				to, confidential internal
25				decision-making processes, investment
26 27				decisions, strategic evaluation of forward-
28				looking opportunities,

1				market share analyses,
$_{2}\parallel$				assessment of the
3				competitive landscape, business partnerships,
				terms of existing
4				confidential agreements,
5				revenue figures and
6				projections, and internal presentations discussing
7				business strategy, which
				could be used to injure
8				Microsoft if made publicly
9				available.
10	Opposition, Ex. 7	Entire document	Activision	This deposition transcript
11	(RX4043 - Kotick Dep.			contains non-public and highly sensitive
12	Tr.)			information including, but
13				not limited to, information
14				reflecting internal decision-making
				processes, strategic
15				evaluation of forward-
16				looking opportunities,
17				market share analyses, assessment of the
18				competitive landscape,
19				business partnerships,
				terms of existing
20				confidential agreements,
21				revenue figures and projections, and internal
22				presentations discussing
23				business strategy, which
24				could be used to injure Activision if made
				publicly available.
25	On a . 't'	Ending 1	A -4::-:	
26	Opposition, Ex. 8	Entire document	Activision	This deposition transcript contains non-public and
27	(RX4047 - Zerza Dep.			highly sensitive
28	Tr.)			information including, but

1				not limited to, information
2				reflecting internal
				decision-making
3				processes, strategic evaluation of forward-
4				looking opportunities,
5				market share analyses,
				assessment of the
6				competitive landscape,
7				business partnerships,
8				terms of existing
				confidential agreements,
9				revenue figures and
10				projections, and internal presentations discussing
11				business strategy, which
				could be used to injure
12				Activision if made
13				publicly available.
14	Opposition,	Entire document	Activision	This investigational
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15	(RX4013 - Schnaknberg			non-public and highly
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16 17 18 19 20 21	Schnaknberg			non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, business partnerships, terms of existing
16 17 18 19 20 21 22	Schnaknberg			non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, business partnerships, terms of existing confidential agreements,
16 17 18 19 20 21 22 23 24	Schnaknberg			non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, business partnerships, terms of existing confidential agreements, revenue figures and
16 17 18 19 20 21 22 23 24 25	Schnaknberg			non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, business partnerships, terms of existing confidential agreements, revenue figures and projections, and internal
16 17 18 19 20 21 22 23 24 25 26	Schnaknberg			non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, business partnerships, terms of existing confidential agreements, revenue figures and projections, and internal presentations discussing
16 17 18 19 20 21 22 23 24 25	Schnaknberg			non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, business partnerships, terms of existing confidential agreements, revenue figures and projections, and internal presentations discussing business strategy, which
16 17 18 19 20 21 22 23 24 25 26	Schnaknberg			non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, business partnerships, terms of existing confidential agreements, revenue figures and projections, and internal presentations discussing

### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 18 of 32

1				publicly available.
2 3	Opposition, Ex. 11	Entire document	Microsoft	This document contains non-public and highly
4	(RX1146)			sensitive information
5				including, but not limited to, confidential assessment
6				of the competitive landscape, which could be
7				used to injure Microsoft if made publicly available.
8	Opposition,	Entire document	Microsoft	This document contains
9	Ex. 12 (RX1251)	Entire document	Wiciosoft	non-public and highly
10				sensitive information including, but not limited
11				to, confidential assessment of the competitive
13				landscape, which could be
14				used to injure Microsoft if made publicly available.
15	Opposition,	Entire document	Activision	This document contains
16	Ex. 15 (RX1038)			non-public and highly sensitive information
17				including, but not limited to, confidential
18 19				information reflecting
20				internal decision-making processes, strategic
21				evaluation of forward- looking opportunities, and
22				business partnerships,
23				which could be used to injure Activision if made
24				publicly available.
25	Opposition, Ex. 24	Entire document	Microsoft	This document contains
26	(RX1060)			non-public and highly sensitive information
27				including, but not limited to, confidential internal
28				to, confidential internal

### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 19 of 32

1 2				decision-making processes and investment decisions, which could be used to
3				injure Microsoft if made
4				publicly available.
5	Opposition Ex. 25	Entire document	Microsoft	This document contains non-public and highly
6	(RX1233, TX305)			sensitive information
7				including, but not limited to, confidential internal
8				decision-making processes
9				and assessment of the
10				competitive landscape, which could be used to
11				injure Microsoft if made publicly available.
12				
13	Opposition, Ex. 27	Entire document	Microsoft	This deposition transcript contains non-public and
14	(RX4039 - Nadella Dep.			highly sensitive
15	Tr.)			information including, but not limited to, confidential
16				internal decision-making
17				processes, investment decisions, strategic
18				evaluation of forward-
19				looking opportunities,
20				market share analyses, assessment of the
21				competitive landscape,
22				business partnerships, terms of existing
23				confidential agreements,
24				revenue figures and projections, and internal
				presentations discussing
25				business strategy, which could be used to injure
26				Microsoft if made publicly
27				available.
28				

### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 20 of 32

1	Opposition, Ex. 28	Entire document	Microsoft	This deposition transcript
2	(RX4017 – Hampton Dep.			contains non-public and highly sensitive
3	Tr.)			information including, but
4				not limited to, confidential internal decision-making
5				processes, investment
6				decisions, strategic evaluation of forward-
7				looking opportunities,
8				market share analyses,
9				assessment of the competitive landscape,
10				business partnerships,
11				terms of existing confidential agreements,
12				revenue figures and
13				projections, and internal presentations discussing
14				business strategy, which
15				could be used to injure
16				Microsoft if made publicly available.
	Onnosition	Entire document	Microsoft	This document contains
17	Opposition, Ex. 29	Entire document	Wilciosoft	non-public and highly
18	(RX1141)			sensitive information
19				including, but not limited to, confidential internal
20				decision-making processes
21				and investment decisions, which could be used to
22				injure Microsoft if made
23				publicly available.
24	Opposition, Ex. 30	Entire document	Microsoft	This document contains
25	(RX1144)			non-public and highly sensitive information
26				including, but not limited
27				to, confidential internal decision-making processes
28				and investment decisions,
	[Dropogen] Opp	ED DE DEEENDANTS	10	CASE NO 2:22 CV 02880 ISC

1				which could be used to
2				injure Microsoft if made publicly available.
3	Opposition,	Entire document	Microsoft	This investigational
4	Ex. 31 (RX4002 –			hearing transcript contains
5	Choudhry IH Tr.)			non-public and highly sensitive information
6				including, but not limited
7				to, information reflecting internal decision-making
8				processes, strategic
9				evaluation of forward- looking opportunities,
10				market share analyses,
11				assessment of the competitive landscape,
12				business partnerships,
13				terms of existing confidential agreements,
14				revenue figures and
15				projections, and internal presentations discussing
16				business strategy, which
17				could be used to injure Activision if made
18				publicly available.
19	Opposition,	Entire document	Microsoft	This deposition transcript
20	Ex. 32 (RX4038 –			contains non-public and highly sensitive
21	Gluckstein Dep. Tr.)			information including, but
22				not limited to, confidential internal decision-making
23				processes, investment
24				decisions, strategic evaluation of forward-
25				looking opportunities,
26				market share analyses, assessment of the
27				competitive landscape,
28				business partnerships,

1				terms of existing
2				confidential agreements,
				revenue figures and projections, and internal
3				presentations discussing
4				business strategy, which
5				could be used to injure
6				Microsoft if made publicly available.
7	0	F.4: 1	Missas	This down side or Assumption
8	Opposition, Ex. 33	Entire document	Microsoft	This deposition transcript contains non-public and
9	(RX4000 – P. Spencer Tr.			highly sensitive
10	Vol. I)			information including, but
				not limited to, confidential internal decision-making
11				processes, investment
12				decisions, strategic
13				evaluation of forward- looking opportunities,
14				market share analyses,
15				assessment of the
				competitive landscape,
16				business partnerships,
17				terms of existing confidential agreements,
18				revenue figures and
19				projections, and internal
				presentations discussing
20				business strategy, which could be used to injure
21				Microsoft if made publicly
22				available.
23	Opposition,	Entire document	Microsoft	This deposition transcript
24	Ex. 34 (RX4019 – T.			contains non-public and highly sensitive
25	Stuart Tr.)			information including, but
26				not limited to, confidential
27				internal decision-making processes, investment
28				decisions, strategic

1				evaluation of forward-
2				looking opportunities,
				market share analyses, assessment of the
3				competitive landscape,
4				business partnerships,
5				terms of existing
6				confidential agreements,
				revenue figures and projections, and internal
7				presentations discussing
8				business strategy, which
9				could be used to injure
10				Microsoft if made publicly available.
11				avanable.
12	Opposition, Ex. 37	Entire document	Microsoft	This document contains
	(RX1212)			non-public and highly sensitive information
13				including, but not limited
14				to, terms of existing
15				confidential agreements,
16				which could be used to injure Microsoft if made
				publicly available.
17		To de la constant	) (i	,
18	Opposition, Ex. 38	Entire document	Microsoft	This document contains non-public and highly
19	(RX3019)			sensitive information
20				including, but not limited
21				to, terms of existing
22				confidential agreements, which could be used to
				injure Microsoft if made
23				publicly available.
24	Opposition,	Entire document	Microsoft	This document contains
25	Ex. 39 (RX1221)			non-public and highly
26				sensitive information including, but not limited
27				to, terms of existing
28				confidential agreements,
20				

### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 24 of 32

1				which could be used to injure Microsoft if made
2				publicly available.
3	Opposition,	Entire document	Microsoft	This document contains
4	Ex. 40 (RX1238)			non-public and highly sensitive information
5				including, but not limited
6 7				to, terms of existing confidential agreements,
8				which could be used to injure Microsoft if made
9				publicly available.
10	Opposition, Ex. 41	Entire document	Microsoft	This document contains
11	(RX1211)			non-public and highly sensitive information
12				including, but not limited to, terms of existing
13				confidential agreements,
14				which could be used to injure Microsoft if made
15				publicly available.
16	Opposition, Ex. 42	Entire document	Microsoft	This document contains
17 18	(RX1213)			non-public and highly sensitive information
19				including, but not limited to, terms of existing
20				confidential agreements,
21				which could be used to injure Microsoft if made
22				publicly available.
23	Opposition,	Entire document	Microsoft	This document contains
24	Ex. 43 (RX1245)			non-public and highly sensitive information
25				including, but not limited
26				to, terms of existing confidential agreements,
27				which could be used to
28				injure Microsoft if made

1				publicly available.
2	Opposition, Ex. 44	Entire document	Microsoft	This document contains
3	(RX1222)			non-public and highly sensitive information
4				including, but not limited to, terms of existing
5				confidential agreements,
7				which could be used to injure Microsoft if made
8				publicly available.
9	Opposition, Ex. 48 (Lee	Entire Document	Microsoft and Activision; Designated	This document contains non-public and highly
10	Report)		as Confidential in	sensitive information
11			FTC's Filing	including, but not limited to, information reflecting
12				internal decision-making
13				processes, strategic evaluation of forward-
14				looking opportunities, market share analyses,
15				assessment of the
16				competitive landscape, business partnerships,
17				terms of existing
18				confidential agreements, revenue figures and
19				projections, and internal
20				presentations discussing business strategy, which
21				could be used to injure
22				Microsoft and Activision if made publicly available.
23	Opposition,	Entire document	Microsoft	This investigational
24	Ex. 53 (RX4000,			hearing transcript contains
25	RX4001, Spencer IH			non-public and highly sensitive information
26	Tr.)			including, but not limited
27				to, information reflecting internal decision-making
28	L	1	1	1

	-			
1				processes, strategic
2				evaluation of forward-
3				looking opportunities, market share analyses,
3				assessment of the
4				competitive landscape,
5				business partnerships,
6				terms of existing
				confidential agreements,
7				revenue figures and
8				projections, and internal presentations discussing
9				business strategy, which
				could be used to injure
10				Microsoft if made publicly
11				available.
12	Opposition,	Entire document	Activision	This document contains
13	Ex. 54 (RX1044)			non-public and highly
	(KX1044)			sensitive information
14				including, but not limited
15				to, information reflecting internal decision-making
16				processes, strategic
17				evaluation of forward-
				looking opportunities,
18				assessment of the
19				competitive landscape,
20				business partnerships, and revenue figures and
				projections, which could
21				be used to injure
22				Activision if made
23				publicly available.
24	Opposition,	Entire document	Activision	This document contains
	Ex. 55 (RX3095)			non-public and highly
25	(ICA 3093)			sensitive information
26				including, but not limited
27				to, information reflecting internal decision-making
				processes, strategic
28		<u> </u>	<u> </u>	, 5

1				evaluation of forward-
2				looking opportunities,
3				assessment of the competitive landscape,
				business partnerships, and
4				revenue figures and
5				projections, which could
6				be used to injure Activision if made
7				publicly available.
				-
8	Opposition, Ex. 58	Entire document	Microsoft	This document contains
9	(Carlton Rep.)			non-public and highly sensitive information
10				including, but not limited
11				to, information reflecting
12				internal decision-making processes, strategic
				evaluation of forward-
13				looking opportunities,
14				market share analyses,
15				assessment of the
16				competitive landscape, business partnerships,
17				terms of existing
				confidential agreements,
18				revenue figures and
19				projections, and internal presentations discussing
20				business strategy, which
21				could be used to injure
22				Microsoft if made publicly available.
				avanaore.
23	Opposition, Ex. 60	Entire document	Microsoft	This deposition transcript
24	(RX4027 –			contains non-public and highly sensitive
25	Booty Dep. Tr.)			information including, but
26				not limited to, information
27				reflecting internal
				decision-making processes, strategic
28				processes, strategie

1				evaluation of forward-
2				looking opportunities,
3				market share analyses, assessment of the
				competitive landscape,
4				business partnerships,
5				terms of existing
6				confidential agreements,
7				revenue figures and projections, and internal
				presentations discussing
8				business strategy, which
9				could be used to injure
10				Microsoft if made publicly available.
11				
12	Opposition, Ex. 63 (Lee	Entire document	Microsoft and	This document contains
	Rebuttal		Activision; Designated as Confidential in	non-public and highly sensitive information
13	Decl.)		FTC's Filing	including, but not limited
14				to, information reflecting
15				internal decision-making
16				processes, strategic evaluation of forward-
17				looking opportunities,
				market share analyses,
18				assessment of the
19				competitive landscape, business partnerships,
20				terms of existing
21				confidential agreements,
22				revenue figures and projections, and internal
				presentations discussing
23				business strategy, which
24				could be used to injure
25				Microsoft and Activision if made publicly available.
26				ii made publicly available.
27	Opposition, Ex. 68	Entire document	Microsoft	This deposition transcript
	(RX4034 –			contains non-public and highly sensitive
28	Lawyer Dep.			inginy sonsitive

## Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 29 of 32

1	Tr.)			information including, but
2				not limited to, information
				reflecting internal
3				decision-making processes, strategic
4				evaluation of forward-
5				looking opportunities,
				market share analyses,
6				assessment of the
7				competitive landscape,
8				business partnerships,
				terms of existing confidential agreements,
9				revenue figures and
10				projections, and internal
11				presentations discussing
12				business strategy, which
				could be used to injure
13				Microsoft if made publicly available.
14				avanable.
15	Opposition,	Entire document	Activision	This deposition transcript
15	Ex. 69	Entire document	Activision	contains non-public and
15 16	Ex. 69 (RX4045 – Schnakenberg	Entire document	Activision	contains non-public and highly sensitive
	Ex. 69 (RX4045 –	Entire document	Activision	contains non-public and highly sensitive information including, but
16 17	Ex. 69 (RX4045 – Schnakenberg	Entire document	Activision	contains non-public and highly sensitive information including, but not limited to, information
16 17 18	Ex. 69 (RX4045 – Schnakenberg	Entire document	Activision	contains non-public and highly sensitive information including, but
16 17	Ex. 69 (RX4045 – Schnakenberg	Entire document	Activision	contains non-public and highly sensitive information including, but not limited to, information reflecting internal
16 17 18	Ex. 69 (RX4045 – Schnakenberg	Entire document	Activision	contains non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-
16 17 18 19 20	Ex. 69 (RX4045 – Schnakenberg	Entire document	Activision	contains non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities,
16 17 18 19 20 21	Ex. 69 (RX4045 – Schnakenberg	Entire document	Activision	contains non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses,
16 17 18 19 20 21 22	Ex. 69 (RX4045 – Schnakenberg	Entire document	Activision	contains non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the
16 17 18 19 20 21	Ex. 69 (RX4045 – Schnakenberg	Entire document	Activision	contains non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape,
16 17 18 19 20 21 22	Ex. 69 (RX4045 – Schnakenberg	Entire document	Activision	contains non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the
16 17 18 19 20 21 22 23 24	Ex. 69 (RX4045 – Schnakenberg	Entire document	Activision	contains non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, business partnerships, terms of existing confidential agreements,
16 17 18 19 20 21 22 23 24 25	Ex. 69 (RX4045 – Schnakenberg	Entire document	Activision	contains non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, business partnerships, terms of existing confidential agreements, revenue figures and
16 17 18 19 20 21 22 23 24	Ex. 69 (RX4045 – Schnakenberg	Entire document	Activision	contains non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, business partnerships, terms of existing confidential agreements, revenue figures and projections, and internal
16 17 18 19 20 21 22 23 24 25	Ex. 69 (RX4045 – Schnakenberg	Entire document	Activision	contains non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, business partnerships, terms of existing confidential agreements, revenue figures and projections, and internal presentations discussing
16 17 18 19 20 21 22 23 24 25 26	Ex. 69 (RX4045 – Schnakenberg	Entire document	Activision	contains non-public and highly sensitive information including, but not limited to, information reflecting internal decision-making processes, strategic evaluation of forward-looking opportunities, market share analyses, assessment of the competitive landscape, business partnerships, terms of existing confidential agreements, revenue figures and projections, and internal

### Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 30 of 32

				1
1				Activision if made publicly available.
2				publicly available.
3	Opposition, Ex. 70	Entire document	Microsoft	This document contains
4	(RX1196)			non-public and highly sensitive information
5				including, but not limited
6				to, confidential
7				information reflecting internal decision-making
8				processes, investment
9				decisions, and strategic evaluation of forward-
10				looking opportunities,
11				which could be used to injure Microsoft if made
12				publicly available.
13	Opposition,	Entire document	Microsoft	This deposition transcript
14	Ex. 71 (Choudhry			contains non-public and
15	Dep. Tr.)			highly sensitive information including, but
				not limited to, information
16				reflecting internal
17				decision-making
18				processes, strategic evaluation of forward-
19				looking opportunities,
20				market share analyses,
21				assessment of the competitive landscape,
				business partnerships,
22				terms of existing
23				confidential agreements, revenue figures and
24				projections, and internal
25				presentations discussing business strategy, which
26				could be used to injure
27				Microsoft if made publicly
28				available.

1 2	Opposition, Ex. 72 (Zerza	Entire document	Activision	This investigational hearing transcript contains	
3	IH Tr.)			non-public and highly	
4				sensitive information including, but not limited	
5				to, information reflecting	
6				internal decision-making processes, strategic	
				evaluation of forward-	
7				looking opportunities, market share analyses,	
8				assessment of the	
9				competitive landscape, business partnerships,	
10				terms of existing	
11				confidential agreements, revenue figures and	
12				projections, and internal	
13				presentations discussing business strategy, which	
14				could be used to injure	
15				Activision if made	
16				publicly available.	
17	Having	considered Defendants' Adr	ninistrative Motion and	with good cause annearing	
18	Having considered Defendants' Administrative Motion, and with good cause appearing				
19	therefore:				
20	IT IS HEREBY ORDERED that the Administrative Motion is:				
21	[ ] GRANTED IN ITS ENTIRETY. The unredacted version of Defendants' Opposition shall remain under seal.				
22					
23	[ ] DENIED IN ITS ENTIRETY. Defendants shall file a complete unreducted version of the				
24	Opposition within 7 days of entry of this Order.				
25	[ ] GRANTED/DENIED IN PART. Defendants shall file a revised redacted version of the				
26	Opposition, redacting only the information contained in the following specified paragraphs within 7 days				
27	of entry of this C	viuci.			
28					
	II PBUDUSEUJ UDD	ER RE DEFENDANTS'	30	CASE NO. 3:22-CV-02880-ISC	

# IT IS SO ORDERED. DATED: , 2023 Honorable Jacqueline S. Corley United States District Judge [PROPOSED] ORDER RE DEFENDANTS' CASE No. 3:22-cv-02880-JSC

CORRECTED ADMIN. MOTION TO SEAL

Case 3:23-cv-02880-JSC Document 109-1 Filed 06/17/23 Page 32 of 32